

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RONNIE ROY JOHNSON,

Petitioner,

Case No. 04-CV-73692

v.

HONORABLE DENISE PAGE HOOD

THOMAS BELL,

Respondent.

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ORDER ACCEPTING REPORT AND RECOMMENDATION

This matter is before the Court on Magistrate Judge Paul J. Komives' Report and Recommendation dated July 11, 2005. Neither Party has filed objections to this Report.

Magistrate Judge Komives concluded: claim one was not cognizable on habeas review because it was a state law claim; claim two did not involve clearly established federal law; and claim three was not an unreasonable application of clearly established federal law. The Magistrate Judge recommended that this Court deny Petitioner's Application for Writ of Habeas Corpus.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusion for the proper reasons.

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Paul J. Komives, dated July 11, 2005, is ACCEPTED and ADOPTED as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus [**Docket**

No. 3, filed September 22, 2004] is DENIED.

/s/ Denise Page Hood
DENISE PAGE HOOD
United States District Judge

DATED: October 31, 2005